

Appl. No. 10/529,884
Amendment dated September 10, 2009
Reply to Office Action of May 27, 2009

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings include changes to Figures 4 and 9. These sheets, which include Figures 4 and 9, replace the original sheets including Figures 4 and 9.

Attachment: two (2) replacement sheets

REMARKS

In the May 27, 2009 Office Action, the claims, drawings, and specification were objected to, claims 1, 2, and 4 stand rejected in view of prior art, while claims 3 and 5-10 were withdrawn for being directed to non-elected embodiments. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the May 27, 2009 Office Action, Applicants have submitted herewith a substitute specification and corrected drawings, canceled claims 1-10, and have added claims 11-13 as indicated above. Applicants wish to thank the Examiner for the examination of this application. Thus, claims 11-13 are pending, with claim 11 being the only independent claim. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Information Disclosure Statement

In item 1 of the Office Action, it was noted that the references listed in the written disclosure had not been considered because they were not properly submitted in an Information Disclosure Statement. In response, Applicants have submitted herewith the references in an accompanying Information Disclosure Statement.

Consideration of the references is respectfully requested.

Specification

In item 2 of the Office Action, the disclosure was objected to for informalities. In response, Applicants have submitted herewith a substitute specification as suggested in item 3 of the Office Action. In accordance with 37 CFR §1.125(b), Applicants state that the substitute specification includes no new matter.

Acceptance of the substitute specification is respectfully requested.

Drawings

In item 4 of the Office Action, Figure 9 was objected to for lacking a legend such -- Prior Art --. In response, Applicants have submitted herewith a corrected drawing having such a legend. Further, Applicants have submitted a corrected drawing for Figure 4 to correct a misspelling. Applicants respectfully assert that no new matter has been added.

Applicants respectfully request withdrawal of the objection.

Claim Objections

In item 5 of the Office Action, claims 1-10 were objected to because they lacked clarity and precision. In response, Applicants have canceled claims 1-10 rendering the objection moot.

Election/Restrictions

In items 8-10 of the Office Action, it was stated that by the Examiner's determination, claims 5, 9, and 10 would be withdrawn along with claims 3 and 6-8. Upon review, Applicants agree that claims 5, 9, and 10 do not read on the elected embodiment, and wish to thank the Examiner for his clear and concise explanation.

Rejections - 35 U.S.C. § 102

In items 12-15 of the Office Action, claims 1, 2, and 4 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,618,089 (Tamayama). In response, Applicants have canceled claims 1, 2, and 4 rendering the rejections moot.

New Claims 11-13

Applicants have added new claims 11-13. Since the recited subject matter of claim 11 is similar to that of original claim 1, Applicants believe that the USPTO would deem U.S. Patent No. 6,618,089 (Tamayama) to be the closest cited prior art. Additionally, claim 11

recites the preview image is in a buffer region of the capture device, and that when pausing the display of the preview image, the preview image remains in the buffer region. Further, claim 11 also recites that the preview image remaining in the buffer region is captured and copied to a storage, which is different from the buffer region. In contrast, Applicants respectfully assert that Tamayama fail to disclose or to suggest the use of a buffer region, and relies on the use of the image memory 22 to display an image on the LCD 30. Thus, Applicants respectfully assert that Tamayama fails to disclose or to suggest this feature.

Moreover, Applicants believe that dependent claims 12 and 13 are also allowable over the prior art of record in that they depend from independent claim 11, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate the independent claim 11, neither does the prior art anticipate the dependent claims.

Examination and consideration are respectfully requested.

Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 11-13 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

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Respectfully submitted,

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Dated: September 10, 2009
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